
RESPONSE

The examiner states in the Office Action Summary that claims numbered 1-48, 53-66 and 69-73 are pending in the application; claims numbered 1-4, 9-11, 16-22, 24, 26-28, 32-34, 38-48, 54 and 63-69 are rejected; claims numbered 58, 59 and 61 are objected to.

(1) The examiner has rejected claims numbered 1-4, 9-11, 16, 17, 19, 20, 22, 24, 26-27, 32-33, 38-48 and 63-66 under 35 U.S.C. § 102(b) as being anticipated by Sauerberg et al. (WO 01/79150). Specifically, the examiner states the claims are unpatentable because the amendment to substituent Z still reads upon the Sauerberg reference.

Applicant respectfully disagrees with the examiner's assertion. Applicant directs the examiner's attention to page 7, lines 1-10 wherein the definition for a "divalent polycyclic ring system" is set forth as: "[t]he term "a divalent polycyclic ring system" as used herein refers to a divalent group formed from a polycyclic ring system containing indenpendent [sic] of each other 2 trough [sic] 4 aryl or heteroaryl ring systems *joined by single bonds*" (emphasis added). Examples of such polycyclic ring systems include biphenylene, binaphthylene, terphenylene, diphenylpyridine, and the like. Also, please see the specification examples numbered 13-20, 25-28, and 31-42. Applicant is permitted to be his own lexicographer (see *Phillips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005, *en banc*)). Applicant submits "naphthyl" does not read on the amended substituent Z.

Applicant respectfully requests reconsideration of the withdrawal of claims numbered 5-8, 12-15, 23, 25, 29-31, 35-37, 53, 56, 57, and 60, as they are within the scope of the elected subject matter: substituent Z being a "divalent polycyclic ring system", and would not pose a substantial additional search burden on the examiner.

Applicant respectfully requests reconsideration and withdrawal of the rejection to claims numbered 1-4, 9-11, 16, 17, 19, 20, 22, 24, 26-27, 32-33, 38-48 and 63-66 under 35 U.S.C. § 102(b).

Applicant has amended claims numbered 58, 59 and 61 to remove non-elected subject matter.

The examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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